

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:13cv198**

KAREN LEE LAWHEAD,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
PNC BANK, N.A.,)	
)	
)	
Defendant.)	
)	

Pending before the Court is the Motion for Extension of Time [# 3].

Plaintiff brought this action in Superior Court asserting various claims arising out of foreclosure proceedings. Defendant subsequently removed the case to this Court on the basis of diversity jurisdiction. Prior to removing the case, however, Defendant filed a Motion to Dismiss [# 1 – 8]. The motion contains no supporting memorandum of law and fails to set forth an actual legal argument in support of the motion. Defendant now moves for leave to file a memorandum in support of the motion, which was filed June 12, 2013. The Court **DENIES** the motion [# 3]. In addition, the Court **DENIES without prejudice** the Motion to Dismiss [# 1-8]. Defendant shall have until August 9, 2013, to answer or file a motion to dismiss that complies with the requirements of the Local Rules of this Court and the Federal Rules of Civil Procedure. Defendant is not limited to the issues raised in

the first motion and may raise any grounds that have not otherwise been waived, including whether the Complaint satisfies the federal pleading standards as set forth in Rule 8 and Rule 9 of the Federal Rules of Civil Procedure.

Signed: July 19, 2013

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

